

ADVISORY OPINION 94-005

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

March 31, 1994

Ms. Debra A. Catron  
First Federal Building  
P.O. Box 64  
Hazard, Kentucky 41702

Dear Ms. Catron:

Thank you for contacting the Registry. Based on the facts you have provided, the facts to your question can be stated as follows:

You are a candidate for Commonwealth Attorney in Perry County, Kentucky. You anticipate having a run-off election for the position you are seeking in May, 1994. A former client of your operates an unincorporated car wash business in Perry County, Kentucky.

Based on the information you have provided, your question can be stated as follows:

May the owner of an unincorporated car wash business contribute to a Kentucky political campaign by offering a discount for services to all of his customers if they would allow him to place a bumper sticker, supporting your candidacy, on their vehicles:

Your question describes a potential in-kind contribution given to your campaign by the owner of an unincorporated business. Provided the total combined fair market retail value of these contributions does not exceed the amount set forth in KRS 121.150(6) (\$500 per election), the owner may make such contributions.

The in-kind contributions in this case would include the value of the discount work performed. I.e., if your contributor offered a \$50 retail discount to a customer in exchange for placing one of your bumper stickers on the customer's car, the contributor would have made a \$50 in-kind contribution to your campaign account. The actual placing of a bumper sticker upon the vehicle could count as volunteer work for your campaign.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull  
General Counsel

TES/db